



Rep. Patrick J. Verschoore

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1 AMENDMENT TO HOUSE BILL 1509

2 AMENDMENT NO. _____. Amend House Bill 1509 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Project Labor Agreements Act.

6 Section 5. Findings.

7 (a) The State of Illinois has a compelling interest in
8 awarding public works contracts so as to ensure the highest
9 standards of quality and efficiency at the lowest responsible
10 cost.

11 (b) A project labor agreement, which is a form of pre-hire
12 collective bargaining agreement covering all terms and
13 conditions of employment on a specific project, can ensure the
14 highest standards of quality and efficiency at the lowest
15 responsible cost on appropriate public works projects.

16 (c) The State of Illinois has a compelling interest that a

1 highly skilled workforce be employed on public works projects
2 to ensure lower costs over the lifetime of the completed
3 project for building, repairs, and maintenance.

4 (d) Project labor agreements provide the State of Illinois
5 with a guarantee that public works projects will be completed
6 with highly skilled workers.

7 (e) Project labor agreements provide for peaceful,
8 orderly, and mutually binding procedures for resolving labor
9 issues without labor disruption, preventing significant
10 lost-time on construction projects.

11 (f) Project labor agreements allow public agencies to
12 predict more accurately the actual cost of the public works
13 project.

14 (e) The use of project labor agreements can be of
15 particular benefit to complex construction projects.

16 Section 10. Public works projects. On a project-by-project
17 basis, a State department, agency, authority, board, or
18 instrumentality, that is under the control of the Governor,
19 shall include a project labor agreement on a public works
20 project when that department, agency, authority, board, or
21 instrumentality has determined that the agreement advances the
22 State's interests of cost, efficiency, quality, safety,
23 timeliness, skilled labor force, labor stability, or the
24 State's policy to advance minority-owned and women-owned
25 businesses and minority and female employment.

1 Section 15. Public works projects funded with federal
2 funds. When it has been determined that a project labor
3 agreement is appropriate, and in furtherance of the President's
4 Executive Order 13502, the State department, agency,
5 authority, board, or instrumentality responsible for awarding
6 the project may include a project labor agreement on a public
7 works project funded in whole or in part with federal funds.

8 Section 20. Negotiation of agreement. When it has been
9 determined that a project labor agreement is appropriate for a
10 particular public works project, the State department, agency,
11 authority, board, or instrumentality responsible for awarding
12 the project shall in good faith negotiate a project labor
13 agreement with labor organizations engaged in the construction
14 industry. If the State department, agency, authority, board, or
15 instrumentality and the labor organizations engaged in the
16 construction industry ("the parties") cannot agree to the terms
17 of the project labor agreement, the Governor shall appoint a
18 designee to assist the parties in reaching an agreement.

19 Section 25. Contents of agreement. Pursuant to this Act,
20 any project labor agreement shall:

21 (a) Set forth effective, immediate, and mutually
22 binding procedures for resolving jurisdictional labor
23 disputes and grievances arising before the completion of

1 work.

2 (b) Contain guarantees against strikes, lockouts,
3 or similar actions.

4 (c) Ensure a reliable source of skilled and
5 experienced labor.

6 (d) Further public policy objectives as to
7 improved employment opportunities for minorities and women
8 in the construction industry to the extent permitted by
9 State and federal law.

10 (e) Permit the selection of the lowest qualified
11 responsible bidder, without regard to union or non-union
12 status at other construction sites.

13 (f) Bind all contractors and subcontractors on the
14 public works project through the inclusion of appropriate
15 bid specifications in all relevant bid documents.

16 (g) Include such other terms as the parties deem
17 appropriate.

18 Section 30. Publicly disclosed finding. Any decision to use
19 a project labor agreement in connection with a public works
20 project by a State department, agency, authority, board, or
21 instrumentality shall be supported by a written, publicly
22 disclosed finding by such department, agency, authority,
23 board, or instrumentality, setting forth the justification for
24 use of the project labor agreement.

1 Section 35. Compliance. All State departments, agencies,
2 authorities, boards, and instrumentalities shall ensure that
3 all public works projects are implemented in a manner
4 consistent with the terms of this Act and are in full
5 compliance with all statutes, regulations, and Executive
6 Orders.

7 Section 40. Severability. Nothing in this Act shall be
8 construed to contravene any state or federal law or to
9 jeopardize the State's entitlement to federal funding. If any
10 provision of this Act or its application to any person or
11 circumstance is held invalid by any court of competent
12 jurisdiction, this invalidity does not affect any other
13 provision or application of this Act that can be given effect
14 without the invalid provision or application. To achieve this
15 purpose, the provisions of this Act are declared to be
16 severable.

17 Section 45. The Illinois Procurement Code is amended by
18 changing Section 30-45 as follows:

19 (30 ILCS 500/30-45)

20 Sec. 30-45. Other Acts. This Article is subject to
21 applicable provisions of the following Acts:

22 (1) the Prevailing Wage Act;

23 (2) the Public Construction Bond Act;

- 1 (3) the Public Works Employment Discrimination Act;
- 2 (4) the Public Works Preference Act (repealed on June
- 3 16, 2010 by Public Act 96-929);
- 4 (5) the Employment of Illinois Workers on Public Works
- 5 Act;
- 6 (6) the Public Contract Fraud Act;~~and~~
- 7 (7) the Illinois Construction Evaluation Act;and
- 8 (8) the Project Labor Agreements Act.

9 (Source: P.A. 90-572, eff. date - See Sec. 99-5; revised

10 10-19-10.)

11 Section 99. Effective date. This Act takes effect upon

12 becoming law."